

who should be their leaders. That would undermine the President's belatedly arrived at explanation for his decision to attack Iraq, which is replacing a brutal dictator with a democracy. Yes, there should be a need to apply pressure. The prospect of sectarian clashes and the specter of civil war should be sufficient incentives on their own to end the deadlock. But, so far, they don't appear to be.

To help break the political gridlock, a combination of carrots and sticks is required. The carrot is the provision of economic development funds, particularly from neighboring wealthy countries, on the condition that a national unity government is created and produces a coherent economic plan. The biggest stick is clearly telling the Iraqis that our continued presence in Iraq is dependent upon their promptly putting together a government of national unity.

Sadly, the rhetoric of the President and the administration has often worked against the pressure which needs to be applied against the Iraqi leaders.

The President recently asked the American people, for instance, for their patience. I believe instead he should be telling the Iraqi leaders bluntly and openly that the American people are understandably downright impatient with Iraqi leaders fiddling while Baghdad is burning.

The Secretary of State has said we are in Iraq as long as needed. I believe she should be telling the Iraqi leaders that our continued presence is dependent upon their doing what only they can do: reach an agreement on a government of national unity. That political settlement is not only the best hope, it is the only hope of ending the insurgency and the sectarian strife. The pressure to reach an agreement on a government of national unity needs to be applied clearly and forcefully, pointedly and publicly, not just by President Bush but also by the leaders of Iraq's neighbors.

In our meeting with the Prime Minister of Turkey, Mr. Erdogan, we urged him to do just that, and he said he would. The leaders of all of Iraq's neighboring countries need to do the same because an unstable and civil war-torn Iraq threatens them even more than us.

Is there a risk in this course of forcefully pressing Iraqi leaders to agree on a national unity government? Is there a risk in following that course? The answer is yes. But there is a greater risk in continuing on the current course of political gridlock while sectarian fires threaten to burn out of control.

The President needs to act based on the reality that we confront in Iraq. He recently said if there were a premature departure of American troops that "Iraq would become a place of instability."

Would become? Iraq is a place of grave instability, and to use the words of Ambassador Khalilzad in an inter-

view he gave with a London newspaper: "Iraq is moving towards civil war."

My conclusion is this: President Bush needs to forcefully transmit a message to the Iraqis in plain and simple language: your survival as a nation depends on your working things out together. Your survival as a nation is in the hands of your political leaders, not our military. Along with Senator COLLINS and Senator JACK REED, as I indicated, we wrote the President on March 10, 2006, and ended with the following thoughts:

We urge you to make it clear to the Iraqis how important it is to us that they achieve a political settlement, form a unity government, and make the necessary amendments to their Constitution. We believe it is essential that the Iraqi leaders understand that our continued presence is not unconditional, and that whether they avoid all-out civil war and have a future as a Nation is in their hands. If they don't seize that opportunity, we can't protect them or save them from themselves.

We ended:

The bottom line is this: The United States needs to make it clear to Iraqi leaders that a prompt political settlement is not only essential to them, it is a condition of our continued presence.

We all want to succeed in Iraq, regardless of the positions we took going in. Whether we favored or opposed our intervention, and whether we are critics or supporters of the administration's policies since then, we all want to succeed. We all want to try to leave Iraq in better condition, obviously, than we found it. But to maximize the chances of success, we need to maximize pressure on the leaders of Iraq to end their political deadlock. The insurgents and outside terrorists are not going to be defeated and civil war is not going to be averted if Iraqi leaders are at war with themselves. They should know that if they squander the chance to bring political unity to Iraq, we cannot and will not protect them from their own folly.

Let me close by thanking our Presiding Officer for leading, again, one of the most extraordinary visits to a foreign country that I have ever participated in. His leadership was essential to making the visits that we were able to make and for all of us to come back with greater information and with thoughts about where the future lies.

Mr. President, I ask unanimous consent at this time that the letter that I referred to from the three Senators be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, March 10, 2006.

THE PRESIDENT,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: There is a consensus among our senior military commanders that a political settlement involving the three main Iraqi groups is essential for defeating the insurgency and that the Iraqis need to agree on a government of national unity and

make significant compromises to amend their Constitution to achieve such a political settlement. A political settlement is also essential to prevent all-out civil war and is a critical element of our exit strategy for our troops.

In the midst of the spiral of violence, it is clear to us that we must act to change the current dynamic in Iraq and that the only thing that can produce that change is a political settlement that is accepted by all the major groups.

But an Iraqi political settlement won't happen without pressure from the United States. We can't make them form a unity government, we can't decide who fills what positions in that government, and we can't write the amendments to their Constitution for them.

By a 79-19 vote last year, the Senate said that:

"The Administration should tell the leaders of all groups and political parties in Iraq that they need to make the compromises necessary to achieve the broad-based and sustainable political settlement that is essential for defeating the insurgency in Iraq, within the timetable they set for themselves."

We urge you to make it clear to the Iraqis how important it is to us that they achieve a political settlement, form a unity government, and make the necessary amendments to their Constitution. We believe it is essential that the Iraqi leaders understand that our continued presence is not unconditional, and that whether they avoid all-out civil war and have a future as a nation is in their hands. If they don't seize that opportunity, we can't protect them or save them from themselves.

The bottom line is this: The U.S. needs to make it clear to Iraqi leaders that a prompt political settlement is not only essential to them, it is a condition of our continued presence.

Sincerely,

CARL LEVIN.  
SUSAN M. COLLINS.  
JACK REED.

Mr. LEVIN. I thank the Chair again for his leadership, not only on this one trip but for his leadership in the Senate on so many matters of national security, including the ongoing effort that all of us are participating in to find a positive outcome in Iraq and Afghanistan.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. BURR). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DRU'S LAW

Mr. DORGAN. Mr. President, this coming month it will be 2 years since the body of a young woman named Dru Sjodin was found in Crookston, MN.

Dru Sjodin was a young woman, a college student at the University of North Dakota, who walked out of a North Dakota shopping center at about 5 o'clock in the afternoon. She was abducted, a search was made for her, and some months later her body was found near Crookston, MN. She had been brutally murdered.

I have visited with her parents a number of times. The more I have come to know the details of her abduction and her murder—and since that time I have come to know the details of other abductions and murders, in many cases of young children in our country—it is clear that Congress needs to take some action to deal with some of these issues.

What happened to Dru Sjodin was a vicious, almost unspeakable crime for which a man will soon be tried for murder.

The man who has been arrested and will be on trial shortly for the murder of Dru Sjodin is Alfonso Rodriguez, Jr. He has served prison time for rape. He was sentenced to 23 years in prison for a violent rape. At the end of his sentence, he was deemed by prison officials—including psychiatrists and psychologists—to be at high risk of re-offending.

Despite that, he was let out of prison with little or no supervision. The State's attorney in the jurisdiction where he was prosecuted was not notified of his pending release. He was released without any significant supervision. And within 6 months—it is alleged—he murdered Dru Sjodin.

I have proposed a piece of legislation called Dru's Law, and gotten it passed by the Senate twice. It still has not passed the House. Dru's Law is title II in a comprehensive piece of legislation reported out October of last year by the Senate Judiciary Committee, yet that bill has also not been brought to the floor of the Senate.

Let me describe the legislation I put together because I was astounded when I took a look at Federal and State laws that so little information is available about those who have committed violent sexual offenses.

First of all, there has not been a national database of convicted sex offenders. A year ago, I met with the Attorney General and talked to him about Dru's Law. When the Attorney General took office he began the development of a national database, administratively. We need to do that in law. And provisions of Dru's Law would require the development of a national database of sex offenders that is accessible to the public. So the bill requires the development of a national database of sex offenders accessible to the public.

Second, it requires States to notify prosecutors of impending release of high-risk sex offenders. When we have sex offenders who have committed violent acts, there is a substantial amount of information demonstrating it is very likely, upon release, they will recommit those violent acts. When seen by

psychiatrists and psychologists and evaluated for high-risk activities upon their release, it seems to me when those high-risk offenders are about to be released from prison, their names should be given to the local State's attorney where they were prosecuted so the State's attorney would have the time and capability to determine whether they wanted to seek civil commitment, which is to say further incarceration to protect the public. That is a procedure that many States have allowed.

In this case, the alleged murder by Alfonso Rodriguez, who the experts alleged would be at great risk for re-offending, if he had been civilly committed, he would not have been on the streets.

What is happening too often now, violent sex offenders are let out of prison at the end of the term without so much as a wave, "so long, good luck." That is not what should happen, and this brings me to the third piece of the bill. If, in fact, a high-risk sex offender is released from prison, there must be monitoring by the States upon their release for at least 1 year.

Martha Stewart is put in prison and let out of prison and she wears an ankle bracelet. Martha Stewart is wearing an ankle bracelet, and high-risk sex offenders are let out of prison with a wave, "so long, see you later." Then they abduct and murder children. It is not just Dru Sjodin. I can go through an entire list of young people who have been abducted and murdered by people we knew about, people whose names we had, people who had been serving time in prison but were let out with a wave, to say, "so long, see you later."

Now, I mentioned that Dru's Law, which has the three provisions I described, has twice been passed by the Senate by unanimous consent. But the House has not taken it up and as a result it is not now law.

I have not stopped trying to get Dru's Law passed. In fact, Dru's Law has now been incorporated into S. 1086, the Sex Offender Registration and Notification Act, has been authored by Senators HATCH and BIDEN, both former chairmen of the Senate Judiciary Committee. It is legislation I fully support. It is terrific legislation. I commend both of them for doing a great job.

Title II of that legislation incorporates all of Dru's Law. That legislation is cosponsored also by Senator SPECTER, who is the current chairman of the Judiciary Committee. And I'm happy to say that S. 1086 passed out of the Judiciary Committee in October of last year.

Yet S. 1086 has not been considered by the full Senate. I don't understand that. The majority leader has told us what we are going to consider. We are going to consider constitutional amendments on gay marriage, constitutional amendments on flag desecration. The list goes on and on and on, but we do not have time to consider

this? This is important. This is life or death in many instances.

We have had time for a free trade agreement with the country of Bahrain. Boy, that is a priority. What would have happened if we had not had a trade agreement with Bahrain? We passed the Delaware Water Gap National Recreation Area Improvement Act. We did the Benjamin Franklin National Memorial Commemoration Act. We have done a lot of things here, but we did not have time to bring up S. 1086, the Sex Offender Registration and Notification Act? I don't understand that.

There is a recent study that found 72 percent of the highest risk sexual offenders reoffend within 6 years of being released from prison. The Bureau of Justice Statistics has determined that sex offenders released from prison are over 10 times more likely to be arrested for a sexual crime than individuals who have no record of a sexual assault.

This legislation is endorsed by a good many people. Dru's Law has 18 cosponsors in the Senate. Senators HATCH and LEAHY have worked closely with me to pass Dru's Law separately, as a stand-alone bill.

Mark Lunsford, the father of 9-year-old Jessica Lunsford, is a strong supporter of this. Jessica Lunsford, this country might remember, was abducted a year or so ago from her bedroom in her Florida home. Her body was found a month later. The crime was committed by a 46-year-old convicted sex offender with a 30-year criminal history. After committing the assault of Jessica and the murder of Jessica, John Couey, the man who committed this crime, fled across State lines to Savannah, GA. Had he not been recaptured, he very likely would have reoffended in Georgia, as well.

Mr. Lunsford wrote me a letter about Dru's death:

If my daughter's death is going to have any meaning, it will be efforts such as yours that strengthen existing laws by making our streets safer for all children. My heart continues to break as I mourn the loss of my beautiful little girl. I do not want other families to suffer as mine has done and I believe that your effort will go far toward that important goal.

This bill is endorsed by Marc Klaas, the father of 12-year-old Polly Klaas, who was kidnaped and murdered by a previously diagnosed sex offender. Mr. Klaas wrote:

I would like to reiterate my full support of this important effort.

It does not take the recitation of 100 cases, but let me mention Sarah Michelle Lunde, 13 years old. She disappeared and was found dead. David Onstott, a convicted sex offender, who once had a relationship with the girl's mother, has confessed to killing her.

Jetseta Gage of Cedar Rapids, IA, was abducted, sexually assaulted, and murdered. Roger Paul Bentley was arrested for that crime, a convicted sex offender on Iowa's sex registry.

The list goes on and on and on and on. I held a meeting in Fargo, ND, about a year ago to describe how important it is to track sex offenders' movements across State lines. I held a town meeting in Fargo, ND, to talk about the issue of violent sex offenders. This was an outgrowth of the information I had developed as a result of Dru Sjodin's murder.

Before that meeting in Fargo, I checked the registry in North Dakota to find out the names of convicted sex offenders living within walking distance of the place I was going to have a meeting.

One name kind of jumped out to me and I described the case to the people at the meeting: Joseph E. Duncan. I did not know him, I had never previously heard of him. But in 1980 when Joseph Duncan was a 16 year old, he abducted a 14-year-old boy who had been walking in his neighborhood, sexually assaulted the boy twice at gunpoint, pled guilty to rape in the first degree, and was sentenced to 20 years in prison. He was released from prison July 14, 2000, after completing a 20-year sentence. Because he completed his full term, he was released without parole and without probation. He went to live in North Dakota within walking distance of city hall in Fargo.

So I mentioned to the people in Fargo about five cases of people who were convicted sex offenders who lived within walking distance of city hall, just to describe the people who were living in our midst. What I didn't know when I mentioned it that day in Fargo was that 1 month earlier, Joseph E. Duncan had been charged with molesting a 6-year-old boy at a playground just across the river in Detroit Lakes, MN. He appeared in court on April 5, 2005. A county judge set the bail at \$15,000 and Duncan was released after paying the cash. A friend apparently posted the cash for him.

The next I heard of this man was July 2. He was arrested in Idaho for kidnaping 8-year-old Shasta Groene and her 9-year-old brother Dylan Groene. The children had been missing since May 16 when the bound and bludgeoned bodies of their mother, older brother, and mother's boyfriend were found at their rural home. This case is another tragic reminder of the urgent need. Duncan has now been charged with abducting and molesting this young girl, three counts of first-degree murder.

These predators, in many cases, are not strangers. We know who they are. They have been in prison. They have violently molested, violently sexually assaulted other people. I am not necessarily suggesting we put them in prison and throw away the key, but I am saying when we know someone is a violent sexual predator and they are about to be released from prison and the psychiatrists tell us they are at high risk for reoffending and recommitting another violent sexual act, then it seems to me the local people

ought to be notified to determine whether the State's attorney wishes to recommit them for a civil commitment to protect society at large. And, second, if that person is released, it cannot any longer be "so long and good luck," with nothing much more than a wave. We cannot do that. There must be a high level of monitoring.

Kids are dying. People are being murdered. We have not had a national registry of sex offenders that is complete and that works. We let people out of prison who we know are going to offend again, or at least we know will offend again, and we let these people out of prison with virtually no monitoring at all by the Government.

Again, isn't it interesting, Martha Stewart—and, incidentally, I don't even watch her television show, but she sure got a lot of press for going to prison. Martha Stewart goes to prison, and when she is let out, she is walking around with an electronic ankle bracelet. Yet these people are going to prison and they come out after having been guilty of violent sex offenses, they are judged to be at risk for committing another sexual offense, and they do not wear any electronic bracelet, any electronic monitoring device. It is "so long, see you later."

That has to change. That is what Senator HATCH and Senator BIDEN say in their bill. It is what I say in Dru's Law. And it is long past the time for the majority leader to schedule this for a debate in the Senate.

Last October, this Hatch-Biden bill was passed by the Senate Judiciary Committee. This is bipartisan. It has strong support in the Senate. There is no longer any excuse for that not to come to the Senate and to be debated and passed. Will it take the next vicious murder, the next brutal murder of some young child, to understand that violent sexual predators exist and are being let out of prison with little monitoring? I hope not. I hope before we have the next set of headlines the majority leader will decide this represents a priority, a priority far higher than some of the other priorities he has suggested for floor action, and that we can see in the Senate very soon the legislation offered by Senator HATCH and Senator BIDEN.

I commend them for the legislation they have written. I appreciate the fact that title II is Dru's Law. I have worked with them, as have many of my colleagues. They have done this country a great service by putting S. 1086 together. Now the majority leader can do this country a great service by scheduling the Senate's consideration of this bill, after these many months following its favorable reporting from the Senate Judiciary Committee.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BURNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### NOMINATION OF DENNIS R. SPURGEON TO BE AN ASSISTANT SECRETARY OF ENERGY

Mr. BURNS. Mr. President, I ask unanimous consent that at 5:15, the Senate proceed to executive session and an immediate vote on the confirmation of Executive Calendar No. 575, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The assistant legislative clerk read the nomination of Dennis R. Spurgeon, of Florida, to be an Assistant Secretary of Energy.

Mr. BURNS. Mr. President, I ask unanimous consent that it be in order at this time to ask for the yeas and nays.

The PRESIDING OFFICER. Without objection, it is in order to request the yeas and nays at this time.

Mr. BURNS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second, and the yeas and nays are ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Dennis R. Spurgeon, of Florida, to be an Assistant Secretary of Energy? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senators were necessarily absent: the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Alaska (Ms. MURKOWSKI).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from West Virginia (Mr. BYRD), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KERRY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Maryland (Ms. MIKULSKI), the Senator from Florida (Mr. NELSON), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The PRESIDING OFFICER (Mr. DEMINT). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 0, as follows: